



**UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office**

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
08/840,523	04/21/97	CRIDENLOUGH	0159,610

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11M1/0205

EXAMINER
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NUZZOLILLO, M

ART UNIT	PAPER NUMBER
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1111

DATE MAILED: 02/05/98

02/05/98

**Please find below and/or attached an Office communication concerning this application or proceeding.**

**Commissioner of Patents and Trademarks**

**Office Action Summary**

Application No.

**08/840,523**

Applicant(s)

**Goodenough et al.**

Examiner

**M. Nuzzolillo**

Group Art Unit

**1111**☒ **Responsive to communication(s) filed on Apr 21, 1997**☐ **This action is FINAL.**☐ **Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.**

A shortened statutory period for response to this action is set to expire 3 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

**Disposition of Claims**☒ Claim(s) 1-37 is/are pending in the application.

Of the above, claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

☒ Claim(s) 1-6, 8-11, 14-31, and 34-37 is/are allowed.☐ Claim(s) \_\_\_\_\_ is/are rejected.☒ Claim(s) 7, 12, 13, 32, and 33 is/are objected to.☐ Claims \_\_\_\_\_ are subject to restriction or election requirement.**Application Papers**☒ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.☐ The drawing(s) filed on \_\_\_\_\_ is/are objected to by the Examiner.☐ The proposed drawing correction, filed on \_\_\_\_\_ is ☐ approved ☐ disapproved.☐ The specification is objected to by the Examiner.☐ The oath or declaration is objected to by the Examiner.**Priority under 35 U.S.C. § 119**☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).☐ All ☐ Some\* ☐ None of the CERTIFIED copies of the priority documents have been  
☐ received.☐ received in Application No. (Series Code/Serial Number) \_\_\_\_\_.☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\*Certified copies not received: \_\_\_\_\_.

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).**Attachment(s)**☒ Notice of References Cited, PTO-892☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). \_\_\_\_\_☐ Interview Summary, PTO-413☒ Notice of Draftsperson's Patent Drawing Review, PTO-948☐ Notice of Informal Patent Application, PTO-152

--- SEE OFFICE ACTION ON THE FOLLOWING PAGES ---

Art Unit:

## **DETAILED ACTION**

### ***Drawings***

1. Since allowable subject matter has been indicated, applicant is encouraged to submit formal drawings in response to this Office action. The early submission of formal drawings will permit the Office to review the drawings for acceptability and to resolve any informalities remaining therein before the application is passed to issue. This will avoid possible delays in the issue process.

### ***Claim Objections***

2. Claims 7, 12, 13, 32, 33 are objected to under 37 CFR 1.75(c), as being of improper dependent form for failing to further limit the subject matter of a previous claim. Applicant is required to cancel the claim(s), or amend the claim(s) to place the claim(s) in proper dependent form, or rewrite the claim(s) in independent form. Claim 7 depends from claim 5. In claim 5 the metal may only be Fe, thus the metals of claim 7 do not further limit the composition. In claims 12 and 13 as well as 32 and 33 the M variable is Nb, however claims 7 and 27 require that M is selected from a first row transition metal- Nb is not a first row transition metal.

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Art Unit:

*Allowable Subject Matter*

3. Claims 1-37 are allowed over the prior art. However, claims 7, 12, 13 and 32-33 require proper amending to overcome the objections above.

4. The following is a statement of reasons for the indication of allowable subject matter: the claims require materials which are not disclosed in the prior art. The art shows different compounds as being rhombohedral NASICON, see for example Yoldas et al., 4,526,844 and CA115:238022.

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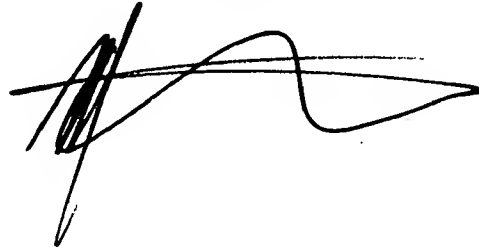
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5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to M. Nuzzolillo whose telephone number is (703) 305-3776.

M. NUZZOLILLO  
PRIMARY EXAMINER  
GROUP 1100

A handwritten signature in black ink, consisting of a series of loops and a long horizontal stroke, positioned below the printed name and title.

mn

February 1, 1998

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